REMARKS/ARGUMENTS

Applicants thank the Examiner for his careful review of this application. Claims 1-20 have been rejected. Claims 1 and 4 have been amended. Claim 3 has been cancelled. Applicants respectfully request reconsideration of the application in view of the above amendment and the following remarks submitted in support thereof.

Obviousness Rejections under 35 U.S.C. §103(a)

Pending claims 1-2 and 4-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,954,796 to McCarty et al. in view of admitted prior art (APA) from the background section of Applicants' application. As will be fully explained below, the combination of McCarty et al. in view of APA does not raise a *prima facie* case of obviousness against amended independent claim 1 and independent claims 7 and 16.

Although the Applicants believe that the original pending claims are defined over the art of record, the Applicants have amended independent claim 1 to clarify that the code segment is an Operating System Module (OSM) capable of providing a modification request. As amended, independent claim 1 defines a method for facilitating communication with a Fibre Channel controller. Specifically, the OSM is capable of altering the functionality of the Fibre Channel controller based on a Fibre Channel attribute value, wherein the Fibre Channel attribute value defines a functionality of the Fibre Channel Controller.

In support of the 35 U.S.C. §103(a) rejection, the Examiner noted that McCarty et al. disclose the OSM capable of altering the functionality of the Fibre Channel controller based on the Fibre Channel attribute value, wherein the Fibre Channel attribute value defines the functionality of the Fibre Channel Controller. Applicants respectfully traverse the Examiner's characterization of McCarty et al. relative to amended independent claim 1

because the portion of the reference relied upon by the Examiner (col. 8, lines 27-67) does

not teach the OSM capable of altering the functionality of the Fibre Channel controller based

on the Fibre Channel attribute value, wherein the Fibre Channel attribute value defines the

functionality of the Fibre Channel Controller, as defined in amended independent claim 1. In

particular, McCarty et al. disclose a link path provided between a FC environment and an

OS-compatible communication interface (col. 4, lines 13-15). The link path "facilitates

dynamic address changing of the FC devices, which changing is transparent to the OS-

compatible upper-level software structures" (col. 4, lines 19-21). As a result, "the OS, then,

need only to issue IP level commands in order to communicate with the FC devices on the

Arbitrated Loop without having to keep track of dynamic changes in the loop address" (col.

9, lines 19-22). In effect, McCarty et al. teach a link path that translates OS commands to FC

commands. This link path provides a level of abstraction for the OS by hiding the physical,

functional details of the FC devices from the OS. The OS simply "need not be aware of

subsequent changes in the constituent parts of the FC information structure" (col. 8, line 66 –

col. 9, line 1). Since the OS is not aware of the functional details of the FC devices, the OS

cannot directly alter or access the FC information structure associated with the FC devices,

and must communicate through the link path that translates OS commands to FC commands.

In contrast, amended independent claim 1 define the OSM capable of altering the

functionality of the Fibre Channel controller based on a Fibre Channel attribute value,

wherein the Fibre Channel attribute value defines the functionality of the Fibre Channel

Controller. In other words, the OSM can directly alter the Fibre Channel attribute value that

defines the functionality of the Fibre Channel Controller. As McCarty et al. teach the OS not

being able to directly alter or access the FC information structure associated with the FC

devices because the OS cannot keep track of dynamic changes in the loop address, McCarty

et al. cannot reasonably be considered to teach or suggest the OSM being capable of altering the Fibre Channel attribute value that defines the functionality of the Fibre Channel Controller, as defined in amended independent claim 1.

Similarly, independent claims 7 and 16 define a profile data structure and a system for facilitating communication with a Fibre Channel controller. Specifically, independent claim 7 defines a value in the Fibre Channel value field that is accessible by an operating system dependent code module. Likewise, independent claim 16 defines an operating system dependent code module capable of modifying a Fibre Channel field value.

The Examiner noted that McCarty et al. disclose Fibre Channel attribute values such as Port_Name, unique Node_Name, Device_Function, 0_0_0, etc. Since McCarty et al. disclose an OS, the Examiner reasoned that the OS must be able to directly access the Fibre Channel attribute values. Applicants respectfully traverse the Examiner's characterization of McCarty et al. relative to independent claims 7 and 16 because the portions of the reference relied upon by the Examiner (col. 8, lines 27-67; col. 7, lines 45-67; and col. 10, lines 1-35) do not teach the operating system dependent code module accessing and modifying the Fibre Channel field value, as defined in independent claims 7 and 16. As discussed above, McCarty et al. forbid the OS to directly alter or access the FC information structure because the OS cannot keep track of dynamic changes in the loop address. Instead, the OS must communicate through the link element that translates OS commands to FC commands. Furthermore, the values cited by the Examiner are part of a FC-specific LOG Function information structure, and the "LOG Function is mapped in accordance with the teachings of the present intention to a link element pertaining to a higher-level OS-compatible interface" (col. 8, lines 33-35 and 42-51). Thus, the LOG Function is also translated or mapped by the link element. As McCarty et al. teach the higher-level OS-compatible interface not being

able to directly modify or access the LOG Function information structure, McCarty et al. cannot reasonably be considered to teach or suggest the operating system dependent code module capable of modifying and accessing the Fibre Channel field value, as defined in independent claims 7 and 16.

To establish a *prima facie* case of obviousness, the prior art references must teach or suggest all the claim limitations (see MPEP2143). Here, in view of the incorrect characterization of McCarty et al., the references as combined do not teach all the features of the claimed invention.

Additionally, to establish a prima facie case of obviousness based on a combination of references, there must be some suggestion or motivation, either in the references or in the knowledge generally available to one having ordinary skill in the art, to combine the references in the manner proposed. In particular, the Examiner noted that the APA teaches a Fibre Channel controller and an OSM that McCarty et al. do not explicitly teach but "[i]t would have been obvious to apply the teachings of APA to McCarthy in order to provide a large depth an [sic] breadth of products, which include SCIS [sic] disk drives" (see Office Action mailed July 30, 2003 at pages 4 and 6). The Applicants respectfully traverse the Examiner's assertion that there is some suggestion or motivation to combine McCarty et al. and APA in the manner proposed by the Examiner. In particular, McCarty et al. specifically teach a method to make SCSI compatible with a Fibre Channel Environment (col. 9, line 63 and col. 1, line 38). On the other hand, in accordance to the APA, SCSI is not compatible with Fibre Channel (p. 5, line 19 – p. 6, line 4 and p. 7, line 19-21). As a result, there is no motivation to combine McCarty et al. and APA because the APA simply discourages the use of SCSI with Fibre Channel, which is in direct contrast to the aim of McCarty's invention.

Accordingly, for the above-stated reasons, Applicants submit that independent claims 1, 7, and 16 are patentable under 35 U.S.C. §103(a) over <u>McCarty et al</u>. in view of APA. Claims 2, 4-6, 8-15, and 17-20, each of which depends directly or indirectly from independent claims 1, 7, and 16, are likewise patentable under 35 U.S.C §103(a) over <u>McCarty et al</u>. in view of APA for at least the same reasons set forth for independent claims 1, 7, and 16. As a result, Applicants respectfully request the Examiner to withdraw the 35 U.S.C. §103(a) rejection for all pending claims 1-2 and 4-20.

Conclusion

In view of the foregoing, the Applicants respectfully submit that all the pending claims 1-2 and 4-20 are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested. If the Examiner has any questions concerning the present Amendment, the Examiner is requested to contact the undersigned at (408) 749-6900 ext. 6924. If any additional fees are due in connection with filing this Amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. ADAPP169). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
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